

EXHIBIT D

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DEMAND TO CEASE AND DESIST

March 26, 2023

Jason T. Weber
Jonathan S. Blum
Isaac Treadaway
POLSINELLI
2950 N. Harwood Street, Suite 2100
Dallas, TX 75201

Re: Cause No. 2023-10425, *R. Dennis Kennedy v. National Diversity Council*, pending in the 80th District Court, Harris County, Texas.

Dear Messrs. Blum, Weber, and Treadaway:

Please be advised that as of Sunday, March 26, 2023, the NDC's license to use the NDC trademark has been revoked by the trademark owner, R. Dennis Kennedy. Under the applicable state law, any license that NDC contends it had with the founder and former chairman of the NDC (R. Dennis Kennedy) to use the NDC trademark was a contract of an indefinite duration, and therefore was terminable at will. *See Trient Partners I Ltd. v. Blockbuster Entertainment Corp.*, 83 F.3d 704, 708 (5th Cir. 1996); *Clear Lake City Water Authority v. Clear Lake Utility Co.*, 549 S.W.2d 385 (Tex. 1977).

Likewise, the NDC's licenses to use the below domains are also revoked as of the date of this letter:

1. alabamadiversitycouncil.org
2. alaskadiversitycouncil.org
3. arizonadiversitycouncil.org
4. arkansasdiversitycouncil.org
5. californiadiversitycouncil.org
6. carolinasdiversitycouncil.org
7. clwe.org

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8. coloradodiversitycouncil.org
9. diversitycouncilpics.org
10. diversityexecutivecertification.org
11. diversityfirstpublishing.org
12. diversityfirstvirtualsuite.org
13. diversityrecruitingconsortium.com
14. dmvdiversitycouncil.org
15. floridadiversitycouncil.org
16. georgiadiversitycouncil.org
17. glbtCouncil.org
18. glbtsummit.com
19. globaldiversitycouncil.org
20. hawaiidiversitycouncil.org
21. healthcarediversitycouncil.org
22. illinoisdiversitycouncil.org
23. indianadiversitycouncil.org
24. kansasdiversitycouncil.org
25. kentuckydiversitycouncil.org
26. ladiversitycouncil.org
27. lgbtasummit.com
28. losangelesdiversitycouncil.org
29. michigandiversitycouncil.org
30. minnesotadiversitycouncil.org
31. mississippidiversitycouncil.org
32. missouridiversitycouncil.org
33. nationaldiversityconsulting.org
34. nationaldiversitycouncil.org
35. nationaldiversitycouncilintranet.org
36. nationaldiversitycouncilregistration.org
37. ncdiversitycouncil.org
38. ndcawards.org
39. ndcexecutivecertification.org
40. ndcindex.org
41. ndcmail.org
42. ndcnews.org
43. ndcvirtualsuite.org
44. newenglanddiversitycouncil.org
45. nevadadiversitycouncil.org
46. ncrje.org
47. ndccarolinas.org

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48. ndctoolkit.org
49. ndccertification.org
50. ohiodiversitycouncil.org
51. oklahomadiversitycouncil.org
52. oregondiversitycouncil.org
53. pacificnorthwestcouncil.org
54. padiversitycouncil.org
55. tennesseediversitycouncil.org
56. tristatediversitycouncil.org
57. washingtondiversitycouncil.org
58. westvirginiadiversitycouncil.org
59. wilsymposium.com
60. wisconsindiversitycouncil.org
61. ywlsymposium.com

Therefore, the NDC is hereby demanded to CEASE AND DESIST all continued usage of the NDC trademark and the 61 aforementioned domains from this date forward.

Very truly yours,



Brent C. Perry

cc: Erica Fauser